IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 15598 of 2004

Between:

K. Ashok, S/o. K. Ramchandrappa, Hindu,
R/o. Amonapally Village, Maganoor Mandal, Mahaboobnagar District.

..... PETITIONER

AND

1 The Secretrary, Regional Transport Authority, (Regional Transport Officer), Mahaboobnagar.
2 The Motor Vehicles Inspector, Mahaboobnagar, Mahaboobnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the seizure and continued detention of petitioner's vehicle LMV Mahindra Jeep beraing Reg.No. AP 22 7392 seized under Vehicle Check Report No. 115536 dated 21-8-2004 by the 2nd respondent i.e., the Motor Vehicles Inspector, Mahboobnagar, as illegal, unjust, arbitrary, unconstitutional and without jurisdiction and consequently direct the respondents to release the petitioner's vehicle LMV Mahindra Jeep bearing Regd. NO. AP 22 7392 forthwith to the petitioner.

For the Petitioner:MR.RAJANIKANTH JWALA, Advocate.

For the Respondents No.1 & 2 : GP FOR TRANSPORT

The Court at admission stage, made the following :

ORDER : (Per Sri Bilal Nazki, J)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of the tax due, by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

1st September, 2004.

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(S.ANANDA REDDY, J)

N.B:-

Wire at party's cost.

(B/o)

ajr

To

1 The Secretrary, Regional Transport Authority, (Regional Transport Officer),

Mahaboobnagar.
2 The Motor Vehicles Inspector, Mahaboobnagar, Mahaboobnagar District.

3 Two C.Cs. to the GP for Transport, High Court buildings,

Hyderabad (O.U.T)

4 Two C.D. copies.